

U.S. Department of Justice

Washington, DC 20530

Supplemental Statement**Pursuant to the Foreign Agents Registration Act of 1938, as amended**For Six Month Period Ending May 31, 2012

(Insert date)

I - REGISTRANT

1. (a) Name of Registrant

(b) Registration No.

Law Office of Bart S. Fisher

6076

(c) Business Address(es) of Registrant
700 Twelfth Street, N.W. - Suite 700
Washington, D.C. 20005

2. Has there been a change in the information previously furnished in connection with the following?

(a) If an individual:

(1) Residence address(es) Yes ☐ No ☐(2) Citizenship Yes ☐ No ☐(3) Occupation Yes ☐ No ☐

(b) If an organization:

(1) Name Yes ☐ No ☒(2) Ownership or control Yes ☐ No ☒(3) Branch offices Yes ☐ No ☒

(c) Explain fully all changes, if any, indicated in Items (a) and (b) above.

IF THE REGISTRANT IS AN INDIVIDUAL, OMIT RESPONSE TO ITEMS 3, 4, AND 5(a).3. If you have previously filed Exhibit C¹, state whether any changes therein have occurred during this 6 month reporting period.Yes ☐ No ☐If yes, have you filed an amendment to the Exhibit C? Yes ☐ No ☐

If no, please attach the required amendment.

¹ The Exhibit C, for which no printed form is provided, consists of a true copy of the charter, articles of incorporation, association, and by laws of a registrant that is an organization. (A waiver of the requirement to file an Exhibit C may be obtained for good cause upon written application to the Assistant Attorney General, National Security Division, U.S. Department of Justice, Washington, DC 20530.)

4. (a) Have any persons ceased acting as partners, officers, directors or similar officials of the registrant during this 6 month reporting period?

Yes ☐ No ☐

If yes, furnish the following information:

Name	Position	Date Connection Ended
------	----------	-----------------------

(b) Have any persons become partners, officers, directors or similar officials during this 6 month reporting period?

Yes ☐ No ☐

If yes, furnish the following information:

Name	Residence Address	Citizenship	Position	Date Assumed
------	-------------------	-------------	----------	--------------

5. (a) Has any person named in Item 4(b) rendered services directly in furtherance of the interests of any foreign principal?

Yes ☐ No ☐

If yes, identify each such person and describe the service rendered.

(b) During this six month reporting period, has the registrant hired as employees or in any other capacity, any persons who rendered or will render services to the registrant directly in furtherance of the interests of any foreign principal(s) in other than a clerical or secretarial, or in a related or similar capacity? Yes ☒ No ☐

Name	Residence Address	Citizenship	Position	Date Assumed
Thomas J. Mattingly	2323 First Street, N.W. Washington, D.C. 20001	U.S.A.	consultan	Nov. 11, 2011

(c) Have any employees or individuals, who have filed a short form registration statement, terminated their employment or connection with the registrant during this 6 month reporting period? Yes ☐ No ☒

If yes, furnish the following information:

Name	Position or Connection	Date Terminated
------	------------------------	-----------------

(d) Have any employees or individuals, who have filed a short form registration statement, terminated their connection with any foreign principal during this 6 month reporting period? Yes ☐ No ☒

If yes, furnish the following information:

Name	Position or Connection	Foreign Principal	Date Terminated
------	------------------------	-------------------	-----------------

6. Have short form registration statements been filed by all of the persons named in Items 5(a) and 5(b) of the supplemental statement?

Yes ☒ No ☐

If no, list names of persons who have not filed the required statement.

II - FOREIGN PRINCIPAL

7. Has your connection with any foreign principal ended during this 6 month reporting period? Yes ☐ No ☒
If yes, furnish the following information:

Foreign Principal

Date of Termination

8. Have you acquired any new foreign principal(s)² during this 6 month reporting period? Yes ☐ No ☒
If yes, furnish the following information:

Name and Address of Foreign Principal(s)

Date Acquired

9. In addition to those named in Items 7 and 8, if any, list foreign principal(s)² whom you continued to represent during the 6 month reporting period.
Embassy of Sudan

10. (a) Have you filed exhibits for the newly acquired foreign principal(s), if any, listed in Item 8?

Exhibit A³ Yes ☐ No ☐Exhibit B⁴ Yes ☐ No ☐

If no, please attach the required exhibit.

- (b) Have there been any changes in the Exhibits A and B previously filed for any foreign principal whom you represented during this six month period? Yes ☐ No ☒

If yes, have you filed an amendment to these exhibits? Yes ☐ No ☐

If no, please attach the required amendment.

² The term "foreign principal" includes, in addition to those defined in section 1(b) of the Act, an individual organization any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign government, foreign political party, foreign organization or foreign individual. (See Rule 100(a) (9)). A registrant who represents more than one foreign principal is required to list in the statements he files under the Act only those principals for whom he is not entitled to claim exemption under Section 3 of the Act. (See Rule 208.)

³ The Exhibit A, which is filed on Form NSD-3 (Formerly CRM-157) sets forth the information required to be disclosed concerning each foreign principal.

⁴ The Exhibit B, which is filed on Form NSD-4 (Formerly CRM-155) sets forth the information concerning the agreement or understanding between the registrant and the foreign principal.

III - ACTIVITIES

-
11. During this 6 month reporting period, have you engaged in any activities for or rendered any services to any foreign principal named in Items 7, 8, or 9 of this statement? Yes ☒ No ☐

If yes, identify each foreign principal and describe in full detail your activities and services:

SEE ATTACHMENT

-
12. During this 6 month reporting period, have you on behalf of any foreign principal engaged in political activity⁵ as defined below? Yes ☐ No ☒

If yes, identify each such foreign principal and describe in full detail all such political activity, indicating, among other things, the relations, interests and policies sought to be influenced and the means employed to achieve this purpose. If the registrant arranged, sponsored or delivered speeches, lectures or radio and TV broadcasts, give details as to dates, places of delivery, names of speakers and subject matter.

-
13. In addition to the above described activities, if any, have you engaged in activity on your own behalf which benefits your foreign principal(s)? Yes ☐ No ☒

If yes, describe fully.

⁵ The term "political activity" means any activity that the person engaging in believes will, or that the person intends to, in any way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting or changing the domestic or foreign policies of the United States or with reference to political or public interests, policies, or relations of a government of a foreign country or a foreign political party.

IV - FINANCIAL INFORMATION**14. (a) RECEIPTS-MONIES**

During this 6 month reporting period, have you received from any foreign principal named in Items 7, 8, or 9 of this statement, or from any other source, for or in the interests of any such foreign principal, any contributions, income or money either as compensation or otherwise? Yes ☒ No ☐

If no, explain why.

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies.⁶

Date	From Whom	Purpose	Amount
Feb. 16, 2012	Embassy of Sudan	Payment for legal services	\$60,000
May 23, 2012	Embassy of Sudan	Payment for legal services	\$60,000
May 23, 2012	Embassy of Sudan	Reimbursement of expenses	\$3,830
			\$123,830
			Total

(b) RECEIPTS - FUNDRAISING CAMPAIGN

During this 6 month reporting period, have you received, as part of a fundraising campaign⁷, any money on behalf of any foreign principal named in Items 7, 8, or 9 of this statement? Yes ☐ No ☒

If yes, have you filed an Exhibit D to your registration? Yes ☐ No ☐

If yes, indicate the date the Exhibit D was filed. Date _____

(c) RECEIPTS-THINGS OF VALUE

During this 6 month reporting period, have you received any thing of value⁹ other than money from any foreign principal named in Items 7, 8, or 9 of this statement, or from any other source, for or in the interests of any such foreign principal?

Yes ☒ No ☐

If yes, furnish the following information:

Foreign Principal	Date Received	Thing of Value	Purpose
Embassy of Sudan	Apr. 25, 2012	Khartoum hotel expenses paid (Apr. 17-25, 2012) (\$2,582.79)	Visit to consult with client

6, 7 A registrant is required to file an Exhibit D if he collects or receives contributions, loans, moneys, or other things of value for a foreign principal, as part of a fundraising campaign. (See Rule 201(e)).

8 An Exhibit D, for which no printed form is provided, sets forth an account of money collected or received as a result of a fundraising campaign and transmitted for a foreign principal.

9 Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks," and the like.

15. (a) DISBURSEMENTS-MONIES

During this 6 month reporting period, have you

(1) disbursed or expended monies in connection with activity on behalf of any foreign principal named in Items 7, 8, or 9 of this statement? Yes ☒ No ☐(2) transmitted monies to any such foreign principal? Yes ☐ No ☒

If no, explain in full detail why there were no disbursements made on behalf of any foreign principal.

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies, including monies transmitted, if any, to each foreign principal.

Date	To Whom	Purpose	Amount
Feb. 16, 2012	Thomas J. Mattingly	consulting work	\$,1,000
Feb. 22, 2012	Thomas J. Mattingly	consulting work	\$2,500
Feb. 27, 2012	Thomas J. Mattingly	consulting work	\$7,500
Mar. 6, 2012	C&H International	air fare to Khartoum & return	\$3,680
May 24, 2012	Thomas J. Mattingly	consulting work	\$6,000

\$20,680

Total

(b) DISBURSEMENTS-THINGS OF VALUE

During this 6 month reporting period, have you disposed of anything of value¹⁰ other than money in furtherance of or in connection with activities on behalf of any foreign principal named in Items 7, 8, or 9 of this statement?

Yes ☐No ☒

If yes, furnish the following information:

Date	Recipient	Foreign Principal	Thing of Value	Purpose
------	-----------	-------------------	----------------	---------

(c) DISBURSEMENTS-POLITICAL CONTRIBUTIONS

During this 6 month reporting period, have you from your own funds and on your own behalf either directly or through any other person, made any contributions of money or other things of value¹¹ in connection with an election to any political office, or in connection with any primary election, convention, or caucus held to select candidates for political office?

Yes ☒No ☐

If yes, furnish the following information:

Date	Amount or Thing of Value	Political Organization or Candidate	Location of Event
Dec. 27, 2011	\$200	Jackson Eaton for Congress	N/A
Jan. 18, 2012	\$250	Friends of Chari Bustos	N/A

^{10, 11} Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks" and the like.

V - INFORMATIONAL MATERIALS

16. (a) During this 6 month reporting period, did you prepare, disseminate or cause to be disseminated any informational materials?¹²
 Yes ☐ No ☒

If Yes, go to Item 17.

- (b) If you answered No to Item 16(a), do you disseminate any material in connection with your registration?
 Yes ☒ No ☐

If Yes, please forward the materials disseminated during the six month period to the Registration Unit for review.

17. Identify each such foreign principal.

18. During this 6 month reporting period, has any foreign principal established a budget or allocated a specified sum of money to finance your activities in preparing or disseminating informational materials? Yes ☐ No ☒

If yes, identify each such foreign principal, specify amount, and indicate for what period of time.

19. During this 6 month reporting period, did your activities in preparing, disseminating or causing the dissemination of informational materials include the use of any of the following:

- ☐ Radio or TV broadcasts ☐ Magazine or newspaper ☐ Motion picture films ☐ Letters or telegrams
☐ Advertising campaigns ☐ Press releases ☐ Pamphlets or other publications ☐ Lectures or speeches
☐ Other (specify) _____

Electronic Communications

- ☐ Email
☐ Website URL(s): _____
☐ Social media websites URL(s): _____
☐ Other (specify) _____

20. During this 6 month reporting period, did you disseminate or cause to be disseminated informational materials among any of the following groups:

- ☐ Public officials ☐ Newspapers ☐ Libraries
☐ Legislators ☐ Editors ☐ Educational institutions
☐ Government agencies ☐ Civic groups or associations ☐ Nationality groups
☐ Other (specify) _____

21. What language was used in the informational materials:

- ☐ English ☐ Other (specify) _____

22. Did you file with the Registration Unit, U.S. Department of Justice a copy of each item of such informational materials disseminated or caused to be disseminated during this 6 month reporting period? Yes ☐ No ☐

23. Did you label each item of such informational materials with the statement required by Section 4(b) of the Act?
 Yes ☐ No ☐

¹² The term informational materials includes any oral, visual, graphic, written, or pictorial information or matter of any kind, including that published by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or any means or instrumentality of interstate or foreign commerce or otherwise. Informational materials disseminated by an agent of a foreign principal as part of an activity in itself exempt from registration, or an activity which by itself would not require registration, need not be filed pursuant to Section 4(b) of the Act.

VI - EXECUTION

In accordance with 28 U.S.C. § 1746, the undersigned swear(s) or affirm(s) under penalty of perjury that he/she has (they have) read the information set forth in this registration statement and the attached exhibits and that he/she is (they are) familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his/her (their) knowledge and belief, except that the undersigned make(s) no representation as to truth or accuracy of the information contained in the attached Short Form Registration Statement(s), if any, insofar as such information is not within his/her (their) personal knowledge.

(Date of signature)

(Print or type name under each signature or provide electronic signature¹³)

June 24, 2012

/s/ Bart S. Fisher

eSigned

¹³ This statement shall be signed by the individual agent, if the registrant is an individual, or by a majority of those partners, officers, directors or persons performing similar functions, if the registrant is an organization, except that the organization can, by power of attorney, authorize one or more individuals to execute this statement on its behalf.

ATTACHMENT TO SUPPLEMENTAL STATEMENT BY
LAW OFFICE OF BART S. FISHER,
JUNE 24, 2012

Item 11: During this 6 month reporting period, have you engaged in any activities for or rendered any services to any foreign principal named in Items 7, 8, or 9 of this statement?

Answer: Yes

If yes, identify each foreign principal and describe in full detail your activities and services:

1. Provided legal advice and assistance to Sudan with regard to the following cases:
 - a. Clodfelter v. Republic of Sudan, Civ. No. 11-2118 (4th Cir., filed Jan. 17, 2012); and
 - b. Owens v. Republic of Sudan, Civ. No. 01-2244 (JDB) (D.D.C., filed Oct. 26, 2001).
2. Provided legal advice related to the Sudanese Sanctions Regulations (SSR), 31 C.F.R. Part 539, including legal research on the possible filing of litigation to challenge the legality of the SSR.
3. Provided legal advice on the application of Sudanese Sanctions Regulations final rule issued on Oct. 12, 2011, including possible implications for trade and investment in Sudan.
4. Provided legal assistance with regard to the drafting of a petition to the U.S. Department of State seeking removal of Sudan from the list of State Sponsors of Terrorism.
5. Provided legal advice to Sudan regarding the possibility of obtaining a license from the Office of Foreign Assets Control (OFAC) for the importation of ethanol from Sudan into the United States. On Dec. 7, contacted Eric Wormser of IVG Energy, regarding possible interest in the importation of ethanol from Sudan.
6. Provided legal advice to Sudan regarding the need for licenses from OFAC for social media such as Facebook, Twitter, and Google. On Dec. 7, 2011, contacted Vint Cerf at Google regarding the possible interest of Google in expanding into Sudan.
7. Provided legal advice on Feb. 27, 2012, regarding the drafting of a protest to the U.S. Department of State concerning the unlawful entry into the Republic of Sudan by journalists Nicholas D. Kristof and Ann Curry.

LAW OFFICE OF
BART S. FISHER
700 12TH STREET, N.W.
SUITE 700
WASHINGTON, D.C. 20005
T 202 659 2979 F 202 558 5101
www.bartsfisher.com
bart_fisher2002@yahoo.com
March 3, 2012

Hon. Hillary Clinton
Secretary of State
Office of the Secretary
Harry S. Truman Building
2201 C Street, NW
Washington, DC 20520

**Re: Congressman Frank Wolf's Misrepresentation of Our OFAC License to
Provide Legal Representation for the Republic of Sudan**

Dear Madame Secretary:

I am writing to correct some misinformation that Representative Frank Wolf provided to you on February 29, 2012, while you were appearing before the Foreign Operations and Related Programs Subcommittee of the House of Representatives Appropriations Committee. On that occasion, Mr. Wolf stated to you that "the Sudanese government has hired a lobbyist here in town--Bart Fisher. They should not be allowed to have somebody here in town." You responded that you were "deeply concerned about the report that the Administration issued an [Office of Foreign Assets Control (OFAC)] license to anyone to Sudan to be a lobbyist."

Mr. Wolf's assertion that the Government of Sudan has hired me as a lobbyist is incorrect, and any suggestion that OFAC has licensed me as a lobbyist is inaccurate. On December 23, 2010, OFAC granted the Law Office of Bart S. Fisher a license to provide legal services for the Government of Sudan, and to accept payments for providing those legal services. The license, a copy of which is attached to this letter, does not permit my office to engage in public relations or lobbying services on behalf of the Sudanese Government, and we have not done so.

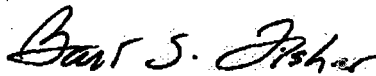
In an effort to ensure that we do not engage in any activities beyond the scope of the OFAC license, I have sought guidance from OFAC concerning the meaning of the terms "public relations" and "lobbying," as those terms are used in this context. On January 12, 2012, OFAC issued a letter to me providing guidance on this topic. I am attaching a copy of my letter to OFAC and OFAC's response of January 12. You will note that I specifically asked for guidance concerning activities Mr. Wolf had characterized as lobbying, and that OFAC has indicated that activities such as these fall within the scope

of the license it granted. I am well aware of the importance of keeping all our activities on behalf of the Sudanese Government within the limits of the OFAC license, and I will make sure that we do not exceed those limits.

I am painfully aware that the Republic of Sudan is an unpopular client. It has been an accepted practice, however, in both Republican and Democratic administrations, to allow even governments with which the U.S. government has very serious disagreements to have legal representation in the United States. In the case of Sudan, the need for representation seems clear. Not only is that country facing litigation in U.S. courts, but it is attempting to resolve challenges related to visas and the application of U.S. sanctions. Again, however, the legal advice and assistance we provide to the Sudanese Government with respect to those and other issues will be provided within the limits set by the OFAC license.

Should you have any questions or comments, please do not hesitate to let me know.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Bart S. Fisher".

Bart S. Fisher

Attachments (3)



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

NSD/CES/REGISTRATION
UNIT

2011 DEC 23 AM 9:55

License No. SU-3410

Sudanese Sanctions Regulations

LICENSE


(Granted under the authority of 50 U.S.C. §§ 1601-51, 1701-06; Executive Orders 13067 and 13412; and 31 C.F.R. Parts 501 and 538.)

To: Law Office of Bart S. Fisher
700 12th Street, NW, Suite 700
Washington, DC 20005
Attn.: Bart S. Fisher, Esq.

1. Based on your letters dated May 25, 2010, and October 14, 2010, to the Office of Foreign Assets Control (the "Application"), and information otherwise available to the Office of Foreign Assets Control, the transactions and activities delineated herein are hereby authorized.
2. This License is granted upon the statements and representations made in the Application, or otherwise filed with or made to the Treasury Department as a supplement to the Application, and is subject to the condition, among others, that the Licensee(s) will comply in all respects with all regulations, rulings, orders and instructions issued by the Secretary of the Treasury under the authority of the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), and the terms of this License.
3. The Licensee(s) shall furnish and make available for inspection any relevant information, records or reports requested by the Secretary of the Treasury, or any other duly authorized officer or agency.
4. This License expires on November 30, 2012, is not transferable, is subject to the provisions of Executive Orders 13067 and 13412, and any regulations and rulings issued pursuant thereto, including 31 C.F.R. Parts 501 and 538, and may be revoked or modified at any time in the discretion of the Secretary of the Treasury. If this License was issued as a result of willful misrepresentation on the part of the applicant or his duly authorized agent, it may, in the discretion of the Secretary of the Treasury, be declared void from the date of its issuance or from any other date.
5. This License does not excuse compliance with any law or regulation administered by the Office of Foreign Assets Control or another agency (including reporting requirements) applicable to the transaction(s) herein licensed, nor does it release Licensee(s) or third parties from civil or criminal liability for violation of any law or regulation.

Issued on behalf of the Secretary of the Treasury:

OFFICE OF FOREIGN ASSETS CONTROL

By 
Andrea Gackl
Assistant Director for Licensing

Nov. 16, 2010
Date

Attention is directed to 18 U.S.C. § 1001, 50 U.S.C. § 1705, and 31 C.F.R. § 538.701 for provisions relating to penalties.

License No. SU-3410

Page 2 of 2

SECTION I - AUTHORIZATION: (a) Subject to the conditions and limitations set forth herein, the Law Office of Bart S. Fisher (the "Licensee"), is hereby authorized to receive (i) payment for those legal services to be provided to the Government of Sudan (the "Client") that are authorized by section 538.505 of the Sudanese Sanctions Regulations, 31 C.F.R. Part 538 ("SSR"), and (ii) reimbursement of expenses to be incurred in connection with these legal services.

(b) Any transfers of funds through the U.S. financial system pursuant to the authorization set forth above should reference the number of this License to avoid the blocking or rejection of the transfer.

SECTION II - CONDITIONS: Payments to the Licensee for professional fees and expenses authorized by this License must not originate from a source within the United States, or from any source outside the United States within the possession or control of a U.S. person other than the Client, or from any entity or individual whose property or interests in property are blocked pursuant to any Executive order or Chapter V of Title 31 of the C.F.R., other than the Client.

SECTION III - WARNING: (a) Except as expressly authorized by the terms of this License, or otherwise by the Office of Foreign Assets Control, this License does not authorize the transfer of any blocked property, the debiting of any blocked account, the entry of any judgment or order that effects a transfer of blocked property, or the execution of any judgment against property blocked pursuant to any Executive order or Chapter V of Title 31 of the C.F.R.

(b) Except as expressly authorized by the terms of this License, or otherwise by the Office of Foreign Assets Control, nothing in this License authorizes the receipt of funds or other property, directly, or indirectly, from any entity or individual whose property or interests in property are blocked pursuant to any Executive order or Chapter V of Title 31 of the C.F.R.

(c) Nothing in this License authorizes the provision of services not authorized by § 538.505(b) of the SSR, including public relations and lobbying services, or the receipt of payment of fees or reimbursement of expenses other than for the purposes delineated in Section I above.

SECTION IV - RECORDKEEPING AND REPORTING REQUIREMENTS: (a) The Licensee is subject to the recordkeeping and reporting requirements of, *inter alia*, 31 C.F.R. §§ 501.601 and 501.602, including the requirement to maintain full and accurate records concerning the transactions undertaken pursuant to this License for a period of five years from the date of each transaction.

(b) See 31 C.F.R. § 501.605 for additional requirements regarding reports to OFAC, courts, and other adjudicators on litigation, arbitrations, and dispute resolution proceedings.

SECTION V - PRECEDENTIAL EFFECT: The authorization contained in this License is limited to the facts and circumstances specific to the Application.

LAW OFFICE OF
BART S. FISHER
700 12TH STREET, N.W.
SUITE 700
WASHINGTON, D.C. 20005
T 202 659 2979 F 202 558 5101
www.bartsfisher.com
bart_fisher2002@yahoo.com

December 16, 2015

Mr. Adam Szubin
Director, Office of Foreign Assets Control
U.S. Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Washington, D.C. 20220

Dear Mr. Szubin:

The purpose of this letter is to request clarification of the scope of License No. SU-3410, which the Office of Foreign Assets Control (OFAC) granted to the Law Office of Bart S. Fisher on November 16, 2010. Specifically, I am requesting clarification of the term "public relations and lobbying services," as that term is used in the license.

In the license mentioned above, OFAC authorized my office to provide the Embassy of the Republic of Sudan with the types of legal services that are listed in section 538.505 of the Sudanese Sanctions Regulations (SSR). Section III(c) of the license states that "public relations and lobbying services" are not authorized by the license.

On December 13, 2011, Rep. Frank R. Wolf made statements on the floor of the House of Representatives in which he described me as a "lobbyist" engaged to provide lobbying services to Sudan, stated that he was "appalled and outraged to learn" of my engagement, stated further that he did not "know how Mr. Fisher sleeps at night," and asserted that I should return any money I might have received from the Sudanese government. Congressman Wolf also questioned whether OFAC had granted me a license to engage in the activity he described; he asked whether my "representation is in violation of the law"; and he asked why, if OFAC had issued a license, the Obama Administration "would . . . allow this to move forward."

Shortly after hearing of these remarks, I learned that Congressman Wolf had scheduled a press conference on the same topic for 1:00 p.m. the following day. In an effort to correct the misinformation on which the congressman apparently had relied in making his December 13 statement, and in an effort to prevent his further dissemination of misinformation, I e-mailed a letter to his press secretary, pointing out that I was not engaging in lobbying and that OFAC had issued a license authorizing the activities in which I was engaged. In an effort at conciliation – an effort that was intended to

discourage further criticism of my integrity – I indicated that I believed the congressman shared my concerns and goals regarding the peoples of Sudan and South Sudan, and that I would welcome the congressman's suggestions on ways in which we could best reach those goals. Because the letter was e-mailed shortly before the press conference was scheduled to begin, I telephoned the congressman's office and left a message on the press secretary's voice mail, notifying that staff member that the letter had been sent.

Congressman Wolf has now taken the position that my letter was an act of lobbying, and constitutes a violation of the OFAC license. In a December 15 letter to Secretary Timothy Geithner that he posted on his website, he has asked that the license be revoked.

License No. SU-3410 does not define the term "lobbying services," and that term does not appear to be defined in the SSR. I have assumed, however, that it covers communications intended to influence the positions and actions of members of Congress regarding legislation that has been or may be proposed or that is pending in Congress. My letter was not sent in any attempt to influence Congressman Wolf's position or actions regarding any legislation. I am well aware of Congressman Wolf's position on the subject of Sudan, and have no doubt that any attempt to persuade him to support any legislative repeal or modification would be fruitless. My letter was intended simply to correct certain misinformation regarding the lawfulness of my activities before the congressman repeated it at a press conference and perhaps elsewhere, and to dissuade the congressman from making further public statements critical of my integrity. Furthermore, although Congressman Wolf's December 15 letter indicates that I "called [his] chief of staff," I wish to point out that I engaged in no substantive conversation with anyone in the congressman's office; I only left the voice-mail message mentioned above, notifying the press secretary that I had sent a letter to the congressman. That was the sole purpose of my December 14 telephone call.

I have no plans to send any correspondence to any member of Congress on the subject of Sudan, or to otherwise contact any member or his staff on that subject. I am well aware of the importance of limiting my activities on behalf of the Embassy of the Republic of the Sudan to those authorized under the OFAC license. Congressman Wolf's position regarding my letter raises questions, however, about the manner in which I am permitted to respond to criticism a member of Congress may make regarding my own personal integrity, and to respond to misinformation a member may disseminate about my activities on behalf of the Embassy. For this reason, I would appreciate your advising me whether I am permitted to respond to such criticism and misinformation, and the means by which I am permitted to do so. Specifically, I would appreciate OFAC's guidance regarding the extent to which the prohibition on "public relations and lobbying services," as that term is used in License No. SU-3410, limits my ability to respond to public statements such as those by Congressman Wolf. I also would appreciate guidance regarding the extent to which I may respond to inquiries and requests for information from members of Congress, including requests for briefings on Sudan-related topics.

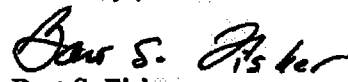
In addition, I note that I am asked from time to time to participate in panel discussions on various matters. While I have not been asked to participate in any such discussions

regarding Sudan, I cannot rule out the possibility that I will receive such an invitation. Moreover, I may be asked by various people, including those in the news media, to comment on statements related to the legal services I am providing to the Embassy of the Republic of the Sudan. I would appreciate OFAC's guidance on how I may respond to those invitations and requests.

Finally, I wish to emphasize that I am committed to confining my activities to those authorized by the license OFAC has granted me.

Thank you for your assistance in this matter.

Sincerely yours,



Bart S. Fisher
Managing Partner
Law Office of Bart S. Fisher

Attachments:

Dec. 13 statement on floor of House

Dec. 14 letter to Congressman Wolf

Dec. 15 letter to Secretary Geithner

cc: The Honorable Timothy Geithner

PRESS RELEASE

Rep. Frank Wolf (R-VA), a long-time critic of the Government of Sudan, today raised serious questions regarding reports that the genocidal government has hired a Washington law firm to represent its interests.

In a speech on the House floor, Wolf asked how the lawyer, Bart S. Fisher, could sleep at night knowing what is presently happening in the Blue Nile and Southern Kordofan states. He also asked who is representing the thousands of people presently living in refugee camps since fleeing their villages to escape the aerial bombardments and other attacks being directed by Sudan's President, Omar Hassan Bashir, an internationally indicted war criminal.

Wolf said he gets regular reports about the ongoing atrocities, including the shelling of civilian areas, extrajudicial killings and house-to-house searches and arrests. He also pointed to evidence gathered through satellite imagery by the Satellite Sentinel Project that reveals at least eight mass graves found in and around Kadugli, the capital of Southern Kordofan.

In addition to his floor speech, Wolf requested immediate clarification from the Obama Administration whether Fisher was in fact granted a license from the Office of Foreign Assets Control at the Treasury Department to provide legal representation to the government of Sudan, a country which faces comprehensive sanctions, and if so why, particularly given Sudan's utterly deplorable human rights record. A copy of Wolf's letter is attached. Here is the complete text of Wolf's speech on the House floor:

Mr. Speaker, I was appalled and outraged to learn yesterday that the genocidal government of Khartoum has hired a lobbyist to represent its interests here in Washington. On December 10, a publication called Africa Intelligence reported that the Sudanese government has put a lobbyist on retainer with the express purpose of trying "to lift American Sanctions against it."

The article further reported that the law office of Bart S. Fisher would be paid \$20,000 a month plus expenses to represent this government - a government which literally has blood on its hands. I submit the article for the Record.

I don't know how Mr. Fisher sleeps at night. Consider the following:

Sudan's president, Omar Hassan Bashir is an internationally indicted war criminal. Bashir is accused by the International Criminal Court of five counts of crimes against humanity, including murder, rape, torture and extermination, and two counts of war crimes.

But Khartoum's crimes are not simply a thing of the past. In a recent hearing before the Tom Lantos Human Rights Commission, a witness with the NGO Human Rights Watch, testified about the situation on the ground in Southern Kordofan and Blue Nile States in Sudan saying:

"According to witnesses we interviewed and other sources, government forces shelled civilian areas, shot people in the streets and carried out house-to-house searches and arrests based on lists of names of known SPLM (Sudan People's Liberation Movement) supporters in the first weeks of fighting."

My office has received regular reliable reports from individuals on the ground echoing these claims. We've learned of ongoing aerial bombardments in Blue Nile and Southern Kordofan states. We've heard nightmarish accounts of extrajudicial killings, illegal detention, disappearances, and indiscriminate attacks against civilians. Furthermore, evidence gathered through satellite imagery by the Satellite Sentinel Project shows at least eight mass graves found in and around Kadugli, the capital of Southern Kordofan.

Literally thousands have fled the violence. Which begs the question: who is their lobbyist?

They are in desperate straits having left behind their entire lives. Who is their lobbyist?

They are facing malnourishment and prolonged displacement. Who is their lobbyist?

To put a human face on these questions, consider this picture, taken by a Voice of America photographer, of a malnourished child with a feeding tube inserted in his nose in an attempt to get him the sustenance he so desperately needs. He is one of the roughly 25,000 people in the Yida refugee camp that have fled the fighting in Sudan and crossed the border into South Sudan.

I ask Mr. Fisher, where is this child's lobbyist?

Today I am sending letters to President Obama, the State Department, the Justice Department and the Treasury Department seeking immediate clarification on what appears to be an indefensible situation.

According to news reports and the Foreign Agents Registration page of the DOJ Web site, Mr. Fisher is representing the Government of Sudan. Was he granted a license from the Office of Foreign Assets Control (OFAC) at Treasury as is required to represent the country of Sudan given the U.S. sanctions which are in place against it? If not, is his representation in violation of the law? If so, why would the administration allow this to move forward?

There are many questions which demand answers. But one thing is clear. It appears that Mr. Fisher's contract with the government of Sudan went into effect in November.

East Africa
North Africa
Sudan
Human Rights
U.S., Canada and Africa
International Organizations

If he has received one penny from the government of Sudan he should return it immediately. Or better yet, he should donate it to one of the NGOs seeking to serve the suffering Sudanese people in Yida refugee camp who have been brutalized by their own government, i.e. Mr. Fisher's client.

LAW OFFICE OF
BART S. FISHER
700 12TH STREET, N.W.
SUITE 700
WASHINGTON, D.C. 20005
T 202 659 2979 F 202 558 5101
www.bartsfisher.com
bart_fisher2002@yahoo.com

December 14, 2011

Honorable Frank R. Wolf
241 Cannon House Office Building
Washington, D.C. 20515-4810

Dear Mr. Wolf:

Thank you for your commitment to peaceful solutions for the people of Sudan. We appreciate your efforts to focus needed attention on conditions in that country.

You may have heard reports that my law office has been engaged to provide lobbying services to the Republic of the Sudan. Those reports are incorrect. Although the Office of Foreign Assets Control (OFAC) has granted my law office a license, that license does not authorize any lobbying activities, and my office will engage in none. We will respond, however, to requests for information from members of Congress or the Obama Administration.

The license OFAC has granted authorizes the Law Office of Bart S. Fisher to provide the Embassy of the Republic of the Sudan with legal services that are permitted under section 538.505 of the Sudanese Sanctions Regulations. That section permits the following legal services:

- (1) [L]egal advice and counsel . . . in circumstances in which the benefit is otherwise received in Sudan, on the requirements of and compliance with the laws of any jurisdiction within the United States . . . ;
- (2) Representation of the Government of Sudan . . . when named as a defendant in or otherwise made a party to domestic U.S. legal, arbitration, or administrative proceedings;
- (3) Initiation of domestic U.S. legal, arbitration, or administrative proceedings in defense of property interests subject to U.S. jurisdiction of the Government of Sudan . . . ;
[and]
- (4) Representation of the Government of Sudan . . . before any federal agency with respect to the imposition, administration, or enforcement of U.S. sanctions against Sudan

LAW OFFICE OF
BART S. FISHER
700 12TH STREET, N.W.
SUITE 700
WASHINGTON, D.C. 20005
T 202 659 2979 F 202 558 5101
www.bartfisher.com
bart_fisher2002@yahoo.com

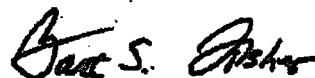
31 C.R.R. sec. 538.505(b) (emphasis added).

Under the license OFAC has granted, my law office is authorized to counsel the Embassy of the Government of the Sudan on the conditions Sudan must meet in order to reduce or eliminate the sanctions now imposed on that country, and on the conditions it must meet before it can be removed from the State Department's list of State Sponsors of Terror. Satisfaction of these conditions would appear to be the very same goals advocated by you and others who are advocating peaceful solutions to problems in the Republic of the Sudan and in Southern Sudan.

By imposing the sanctions mentioned above, the United States has sought to punish and influence the Republic of Sudan. If those sanctions are continued in their current form, however, it is the people of South Sudan who will suffer disproportionately. Although South Sudan is now an independent country, its economy and infrastructure remain integrated with those of the Republic of Sudan. The peoples of the two countries need to travel and to transport food and other necessities across the borders. Sanctions have severely interfered with these activities. For example, due to sanctions on United States suppliers of spare parts, Sudan has only 19 active locomotives, while 17 years ago it had 131 locomotives. These shortages have increased already-existing problems in transporting food and needed supplies to refugee camps and other sites in Darfur, South Sudan, and other locations. These problems have in turn dramatically inflated the prices of food and other materials. They also have made excruciatingly difficult the return home of the South Sudanese people who took refuge in the north. Transportation by truck from the north to South Sudan can take a month during the times of the year when transportation by land is possible. During the rainy season, which may last 6 months a year, that transportation is virtually impossible.

I believe that we share concerns about problems faced by the Sudanese people, and that we have common goals. With these shared concerns and goals in mind, I would appreciate your suggestions about the ways in which we can best reach those goals. Please let me know if you have any questions about activities we are undertaking pursuant to the OFAC license mentioned above. I would be happy to respond to those questions.

Sincerely yours,



Bart S. Fisher
Managing Partner
Law Office of Bart S. Fisher

LAW OFFICE OF
BART S. FISHER
700 12TH STREET, N.W.
SUITE 700
WASHINGTON, D.C. 20005
T 202 659 2979 F 202 558 5101
www.bartsfisher.com
bart_fisher2002@yahoo.com

Attachment: OFAC License of the Law Office of Bart S. Fisher

cc: President Barack H. Obama
Secretary of State Hillary Clinton
Attorney General Eric Holder
Adam Szubin, Director, Office of Foreign Assets Control, Department of the
Treasury
Ali Hussain, Counselor, Embassy of the Republic of the Sudan

FRANK R. WOLF
10TH DISTRICT, VIRGINIA

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEES:

CHAIRMAN—COMMERCE-JUSTICE-SCIENCE

TRANSPORTATION-HUD

STATE AND FOREIGN OPERATIONS

CO-CHAIR—TOM LANTOS
HUMAN RIGHTS COMMISSION



Congress of the United States
House of Representatives
December 15, 2011

241 CANNON HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-4510
(202) 225-6138

13873 PARK CENTER ROAD
SUITE 130
HERNDON, VA 20171
(703) 709-6800
(800) 945-8653 (IN STATE)

110 NORTH CAMERON STREET
WINCHESTER, VA 22601
(540) 667-0890
(800) 950-3463 (IN STATE)

wolf.house.gov

The Honorable Timothy Geithner
Secretary
U.S. Department of Treasury
1500 Pennsylvania Ave NW
Washington DC 20220

Dear Secretary Geithner:

As you surely know by now, I was appalled to learn that Mr. Bart Fisher, a Washington lawyer, appears to have been granted a license by the Treasury Department's Office of Foreign Assets Control (OFAC) to represent the government of Sudan.

Enclosed is a letter I received from Mr. Fisher yesterday. I understand, after speaking with Assistant Secretary David Cohen, that the department has also received a copy of this letter. You'll note that Mr. Fisher writes, "Although the Office of Foreign Assets Control (OFAC) has granted my law office a license, that license does not authorize any lobbying activities, and my office will engage in none. We will respond, however, to requests for information from Members of Congress or the Obama administration."

I never requested information from Mr. Fisher. And yet yesterday, he called my chief of staff. And, in his letter he tries to convince me, as a Member of Congress, that the current sanctions regime should be altered. If that's not lobbying, I don't know what is.

Mr. Fisher should never have been granted a license to begin with. But now, it appears that he is in violation of this license. I urge the Department to immediately revoke the license. History will judge this administration if you fail to act.

Best wishes.

Sincerely,

Frank R. Wolf
Member of Congress

FRW:ea

*Enclosed is my latest
statement on the House Floor*

THIS STATIONERY PRINTED ON PAPER MADE OF RECYCLED FIBERS



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

CASE No. SU-3937

Bart S. Fisher, Esq.
Law Office of Bart S. Fisher
700 12th Street, NW, Suite 700
Washington, DC 20005

Dear Mr. Fisher:

This responds to your December 16, 2011 letter to the Office of Foreign Assets Control ("OFAC"), requesting clarification of the term "public relations and lobbying services" as that term is used in License No. SU-3410 regarding your representation of the Government of Sudan (the "GOS") and requesting guidance on whether you are permitted to respond to criticism by or inquiries from members of Congress or to appear on panels regarding Sudan.

Transactions involving Sudan, which was designated a State Sponsor of Terrorism by the Department of State in August 1993, are subject to the Sudanese Sanctions Regulations, 31 C.F.R. Part 538 (the "SSR"). Recognizing the importance of due process and opportunity for redress, OFAC generally allows sanctions targets to challenge the sanctions imposed on them before U.S. Government agencies and courts. Thus, the SSR provide a general license authorizing the provision of certain legal services to, among others, the Government of Sudan (the "GOS"). See 31 C.F.R. § 538.505(a). This provision authorizes, for example, the filing of litigation to challenge the legality of the sanctions themselves. The provider of such services, however, must obtain an OFAC license to be paid. Section 538.505(b) indicates that specific licenses are available for payment of fees and expenses related to the legal services generally authorized by section 538.505(a). Accordingly, per your request, OFAC issued to the Law Office of Bart S. Fisher License No. SU-3410, which authorizes you to receive payment for those legal services to be provided to the GOS that are authorized by section 538.505 of the SSR, and for the reimbursement of expenses to be incurred in connection with these legal services.

The general license in section 538.505(a) does not authorize the provision to the GOS of lobbying or public relations services, even if performed by an attorney. Further, OFAC has a firm policy, based on foreign policy guidance from the Department of State, of denying authorization to U.S. persons who seek to provide such services to State Sponsors of Terrorism, such as Sudan. An example of lobbying would be communication with a Member of Congress, on behalf of the GOS, urging the repeal of the Darfur Peace and Accountability Act. An example of public relations services would be the development of a marketing campaign on behalf of the GOS. Both of these are prohibited by the SSR, and OFAC policy is not to authorize either.

Your original application to receive payment for the provision of services to the GOS contained a September 20, 2010 letter of engagement with Dr. Akec K.A. Khoc, representative of the Republic of the Sudan. In that letter, you indicated that you intended to provide "lobbying and public relations" services to the GOS. Specifically, you stated that you would engage in "lobbying efforts to enhance U.S. policy towards the Sudan," that you would "work with public relations professionals," and that you would comply with the lobbying registration requirements of the Foreign Agents Registration Act. After conferring with the Department of State, OFAC concluded that it would be contrary to

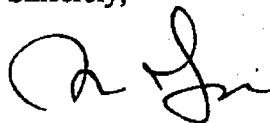
current licensing policy to authorize the provision of those services, or indeed any other services beyond those generally licensed by the SSR, or payment for such services. Accordingly, your request for a license regarding lobbying and public relations services was denied.

In your December 14, 2011 letter to Congressman Wolf, you assert that "[a]lthough the Office of Foreign Assets Control (OFAC) has granted my law office a license, that license does not authorize any lobbying activities, and my office will engage in none. We will respond, however, to requests for information from members of Congress or the Obama Administration." In addition, in your December 16, 2011 letter to OFAC, you specified that you had contacted Congressman Wolf's office "[i]n an effort to correct" Congressman Wolf's statements of December 13, 2011, on the floor of the House of Representatives, and that "[you have] no plans to send any correspondence to any member of Congress on the subject of Sudan, or to otherwise contact any member or his staff on that subject."

In your December 16th letter to OFAC you request guidance on your ability to respond to public statements, to requests for information from members of Congress, such as those by Congressman Wolf, and to requests for comments by the news media. It appears that the past and potential future conduct and transactions described in your letters dated December 14 and 16—i.e., rebutting public comments by a congressman or responding to congressional requests for information or media inquiries—would not violate the SSR. The SSR and the terms of your license do not, however, permit initiating contact on behalf of the GOS with congressional members or staff or with members of the media. If our understanding of your past and potential future conduct and transactions is incorrect, please notify us immediately as additional analysis may be required.

Finally, you have also inquired whether you could appear on an informational panel on Sudan if asked. We are unable to provide you with more specific interpretative guidance on this situation in the absence of specific facts because of the number of variables involved. Should you receive an actual invitation to appear on a panel to discuss Sudan, we would be happy to provide additional guidance based upon your submission of all the details related to such invitation.

Sincerely,



Andrea Gacki
Assistant Director for Licensing
Office of Foreign Assets Control

Jan. 17, 2012
Date